

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SPRINGFIELD DIVISION**

PAUL THAYIL,

Plaintiff,

v.

SIMON COWELL, ET AL.,

Defendants.

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Case No. 10-3200-CV-S-RED

**PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO DISMISS FOR
FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED
AND MOTION TO STRIKE**

NOW COMES Paul Thayil, Plaintiff, to file this Plaintiff's Response to Defendants' Motion to Dismiss for Failure to State a Claim Upon Which Relief can be Granted and Motion to Strike and shows the Court the following, to wit:

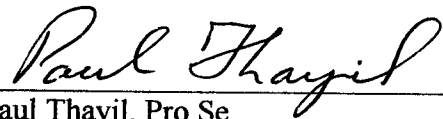
1. Plaintiff's ideas and concepts originated in Australia. Under the laws of Australia, the registration process of ideas and concepts is the equivalent to the copyright and patent process in the United States. As an additional measure, original copyright documents to the United States Consulate General in Sydney, Australia were posted. This was also needed to obtain permission from the government in Australia to take Plaintiff's marketing plan to the United States so that he could contract with as many musicians and dancers as possible to MusicFlow productions, the company Plaintiff was working under at that time and at present time.

2. Defendants purport that Plaintiff has not alleged facts sufficient to support his claims; however, Plaintiff's Original Complaint is not considered the trial. Defendants are wanting all of the evidence that would be presented at trial; however, many of those factual allegations will be revealed through the discovery process.

3. Plaintiff is asking for much more than punitive damages. Defendants' implemented fraud, misappropriation, trickery, deception and theft in bad faith as well as deprived Plaintiff of equal protection of the laws.

WHEREFORE, for the objections set forth herein to the Defendants' Motion to Dismiss and Motion to Strike, the Plaintiff hereby requests that *Defendant's Motion to Dismiss for Failure to State a Claim Upon Which Relief can be Granted and Motion to Strike* be DENIED.

Respectively submitted,

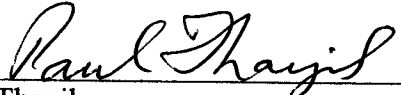
A handwritten signature in cursive script, reading "Paul Thayil", is written over a horizontal line.

Paul Thayil, Pro Se
2020 E. Kerr St., Apt. C-109
Springfield, Missouri 65803
(417) 619-1792

VERIFICATION

IT IS HEREBY Verified that under the penalties of perjury that the foregoing Plaintiff's Response to Defendant's Motion to Dismiss for Failure to State a Claim Upon Which Relief can be Granted and Motion to Strike is true and correct to the best of my knowledge and belief.

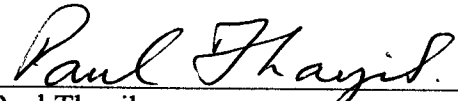
Witness my hand and seal this 16th day of July, 2010.



Paul Thayil

CERTIFICATE OF SERVICE

IT IS HEREBY Certified that the foregoing Plaintiff's Response to Defendant's Motion to Dismiss for Failure to State a Claim Upon Which Relief can be Granted and Motion to Strike has been mailed by First Class United States Mail to the following on the 16th day of July, 2010.



Paul Thayil

Andrea M. Kimball
Rebecca Stroder
4520 Main Street, Suite 1100
Kansas City, Missouri 64111